

Application No. 10/720,810
Amendment dated April 10, 2006
Reply to Final Office Action of December 9, 2005

REMARKS

Status of Case

Claims 1-58 are currently pending in this case.

Specification

The Office Action objected to the amendments to the specification filed on October 11, 2005. Applicant submits updated amendments with double spacing as requested.

Rejections under 35 U.S.C. §103

Claims 1-53 were rejected under 35 U.S.C. 103(a) as being unpatentable over Capowski et al. (U.S. 6,426,697) in view of Masone, et al. (U.S. 6,121,885). Claims 54-55 were rejected under 35 U.S.C. 103(a) as being unpatentable over Capowski et al. (U.S. 6,426,697) in view of Sweatt (U.S. 6,696,942).

Capowski teaches a networked fire alarm system that includes a fire alarm control panel / system controller, connected via a network to multiple detectors and notification appliances. When fire or smoke is detected, the control panel may turn on one or many notification appliances within specified areas.

Masone teaches a combination smoke detector and severe weather warning device, all contained within a common housing. Masone teaches that a warning alert message is received by receiver 24, located within the common housing 10. The received warning alert message is processed and output, again all within the common housing 10. Masone further discloses a remote alarm relay 44. "This relay 44 may be wired into an alarm system incorporated in the house or structure in which the present device is installed." Col. 6, lines 29-31. Thus, Masone teaches that the combination smoke detector/receiver can only communicate with an alarm system to indicate that a warning alert message has been received, but cannot communicate any content of the warning alert message. Sweatt teaches an emergency warning network to alert of impending dangers, such as terrorist alerts and advisories. See col. 1, lines 34-43. Sweatt further teaches portable receivers 22 and 24 that may receive alerts from base stations.

One aspect of the invention includes integrating a warning receiver with a fire alarm system. The warning receiver communicates with a controller of the fire alarm system to process and

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disseminate alerts via notification appliances that communicate with the controller. The integration of the warning receiver into the fire alarm system greatly helps in disseminating warning alerts received. The warning alerts received on devices such as NOAA receivers are for the primary purpose of disseminating the information quickly to the public. Oftentimes, the primary mode of receiving the warning alerts is via radio warning receivers. However, even as acknowledged by Masone, “relatively few people have purchased, or have access to, such weather warning radios”. Col. 1, lines 46-47. To solve this problem, applicant has integrated the warning receiver with a fire alarm system so that incoming warning alert messages may be processed and disseminated via the system controller of the alarm system.

The Office Action has rejected claims 1-53 as being obvious in view of the combination of the Capowski and Masone references. As an initial matter, applicant questions the combination of the Capowski and Masone references as teaching using a warning receiver to transmit a warning alert message to an alarm system for output by the alarm system. The Masone reference is explicit in its solution to the problem of disseminating the warning message alerts – integrating a radio receiver 24 with a fire/smoke detector 12 in a single housing 10. Masone teaches a standalone solution whereby the received warning alert message is not transmitted outside of the housing and is only output from the speaker 38 within the housing. Masone thus does not teach that the received warning alert message is communicated outside of the housing (such as to any alarm system) or that any device outside the housing outputs the warning alert message. At best, Masone only teaches that a relay 44 is used to indicate to an alarm system that a warning alert message has been received (*i.e.*, 0 is input if no alert is received and 1 if an alert is received). Masone likens the input to “when a door is opened or a window is broken”. Col. 6, line 34. However, merely communicating whether an alert has been received is of little help to solving the problem at hand – outputting the warning alert message. The Capowski reference further does not teach, or even suggest, receiving any alert input from any radio receivers (either a warning alert message received from a receiver, or even any relay input that a warning alert message has been received). Therefore, the cited references provide no suggestion to combine.

Even if one were to assume that the combination of the Capowski and Masone references is appropriate (which applicant does not concede), the combination of references still fails to teach the limitations as currently presented. First, the combination of references fails to teach a warning

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receiver that is “separate and distinct from any hazard detector”. Masone teaches that the warning receiver must be integrated with the smoke detector, being contained within the same housing and uses the same control electronics. Thus, a system envisioned by the combination of the Masone and Capowski references requires that the receivers be located with the smoke detectors. Second, the combination of references fails to teach the warning receiver “providing at least a part of the received warning alert message to the controller”. As discussed above, the Masone reference does not teach, or even suggest, providing any part of the received message to any device outside of housing (12). The combination of Masone with Capowski does not teach that the warning receiver provides any part of the warning alert message to the controller of the fire alarm system. As discussed above, at best, Masone only teaches that the warning receiver communicates that a warning alert message has been received (relay 44 is 1); however, the combination of references does not teach the transfer of any part of the warning alert message whatsoever from the receiver to any alarm system. Third, the combination of references fails to teach the controller (as opposed to any hazard detector) “causing at least one notification appliance to notify based at least in part on the received warning alert message”. Again, the Masone reference teaches that the notification of the warning alert message is contained within the housing of the smoke alarm. Even combining Masone with Capowski does not teach that the system controller causing the notification appliances to notify of the received warning alert message. The controller in Capowski never receives any part of the warning alert message (see above), and further can never cause any of the notification appliances to notify based on the received warning alert message. Therefore, claim 1, and claims 2-24, which depend thereon, are patentable over the cited references.

In addition to the arguments cited above, claim 2 is patentably distinct over the cited references. Claim 2 recites “the fire alarm notification appliance providing notification in response to detection of a change in alert status of the warning alert message.” See also claim 26 (“providing, from the fire alarm notification appliance, notification in response to detection of a change in alert status of the warning alert”); claim 49 (“means for providing, from the fire alarm notification appliance, notification in response to detection of a change in alert status of the warning alert.”); and claim 50 (“a visual annunciator comprising plural color-coded indicators, the visual annunciator being in communication with the warning detector and indicating a current alert level in response to a detected change in alert status.”) As discussed in the present

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application, notification via one of the notification appliances may be “in response to detection of the warning alert or **a change in the status of the warning alert.**” Pg. 2, lines 10-12 (emphasis added). Thus, the notification may be based on analyzing whether there has been a change in the status of the current warning alert from a previous warning alert. One example of this is when the threat level for Homeland security has increased, which may necessitate a notification of the new alert. The Office Action argues that the Capowski reference teaches the limitation, stating that Capowski teaches the “LED blinks every time the notification appliance 24 is polled (col. 4, lines 1-5).” Applicant understands that the Office Action interprets the claims as providing notification (in the form of a blinking light) when the notification device is accessed. However, this understanding has little to do with the claim as recited. The claim recites notifying via the notification device under certain circumstances of the warning alert message (*i.e.*, when there is a change in status). Only then will the notification device issue an alert. Therefore, claim 2 is patentable over the cited references.

In addition to the arguments cited above, claim 17 is patentably distinct over the cited references. Claim 17 recites “a verification module which allows confirmation of the validity of the warning alert message before transmission of the notification.” The Office Action states that “Capowski discloses a verification module which allows confirmation of the validity of the warning alert message before transmission of the notification (col. 10, lines 16-64; col. 11, lines 12-17).” Applicant fails to see the relevance of the support for the rejection. The citations provided in the Office Action as teaching verification relate to a sleep mode for the notification appliance or errors in operation of the notification appliance. Specifically, the citations in the Office Action relate to operation of the notification appliance itself (*i.e.*, sleep mode or “‘Trouble’ condition” of the notification appliance). Claim 17 relates to verifying the validity of the warning alert message prior to notification (the analysis is directed to the warning alert message, not to analysis of the notification appliance). Therefore, claim 17 is patentable over the cited references.

Further to the arguments recited above, claim 19 is patentably distinct over the cited references. Claim 19 recites “a visual annunciator comprising plural visual indicators used to indicate a current alert level.” The Office Action states that “Capowski discloses each notification appliance control audible and visual alarm (col. 2, lines 24-27).” Applicant fails to

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see the relevance of the reasoning that Capowski discloses a notification appliance that issues an audible and visual alarm. More appropriately, Capowski does not provide any teaching of a visual annunciator that “indicates a current alert level.” Specifically, Capowski provides no discussion of an alert level (current or otherwise). In contrast to Capowski, claim 19 relates to a type of notification appliance that may be used to provide alerts for homeland security threat levels. The threat levels are color coded with different colors relating to different levels of threat risk. See claim 21. Therefore, claim 19, and claims that depend thereon, is patentable over the cited references.

Similar to the arguments recited above, claims 25 and 48 are patentably distinct over the cited references. Claim 25 recites communicating the warning alert to the “central controller for the fire alarm system”. See also claim 48 (“controller means for the fire alarm system receiving the warning alert from the warning detection means”). As discussed above, even assuming the combination of the Capowski and Masone references is proper, the combination still fails to teach that any warning alert is transmitted to the controller of the fire alarm system. Further, claim 25 recites “communicating from the central controller for the fire alarm system to at least one of the fire alarm notification appliances to issue an alert based at least in part on the received warning alert”. See also claim 48 (“controller means for the fire alarm system . . . communicating the warning alert to the notification means via a network”). As discussed above, the combination of Capowski and Masone fails to teach the controller for the fire alarm system issuing an alert that is based on the received warning alert. Therefore, claims 25 and 48, and the claims that depend thereon, are patentable over the cited references.

As discussed above, claim 50 recites a fire alarm system that includes “a visual annunciator comprising plural color-coded indicators, the visual annunciator being in communication with the warning detector and indicating a current alert level in response to a detected change in alert status.” Thus, the visual annunciator, notifies under certain circumstances of the warning alert message (*i.e.*, when there is a change in status). Therefore, claim 50, and the claims that depend thereon, is patentable over the cited references.

Finally, claim 54 recites a “fire alarm system controller” that communicates with both the fire alarm notification appliance and the warning detector, with the warning detector. Further, claim 54 recites a warning detector that “detects a security/terrorist warning alert.” The

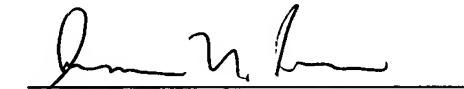
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Capowski reference does not teach or suggest security or terrorist alerts combined with a fire alarm system. Likewise, the Sweatt reference only teaches a receiver 22 that may receive alerts. Sweatt does not teach, or even suggest, integrating the receiver 22 with any other system, such as a fire alarm system. Rather, Sweatt teaches a standalone system. Therefore, claim 54, which recites an integrated system, is patentable over the cited references.

SUMMARY

Applicant respectfully requests the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,



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